

## Virginia Tech Carilion School of Medicine (VTCSOM)

**Statement:** Academic Deficiencies  
**Subject:** Student Affairs  
**Administrator:** A. Knight  
**Rev.:** 3  
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### 1 Purpose

VTCSOM has developed a prescribed process regarding academic action relating to a medical student whose academic performance is deficient according to the standards of VTCSOM. The Medical Student Performance and Promotion Committee (MSPPC) is delegated the responsibility for overseeing all processes by which students are promoted, evaluated, or removed from their academic program. The MSPPC does so by following student-centered policies and processes meant to ensure fair treatment.

### 2 Policy

#### The Medical Student Promotions Process: Information for Students:

The MSPPC is responsible for overseeing the advancement process leading toward graduation and for making decisions relative to student academic status (good standing, probation, etc). The Chair of the MSPPC will review aggregate student performance data on an annual basis, provided by the Senior Dean for Academic Affairs (or designee) to ensure that the academic process is being followed and that appropriate student progress is being maintained. The MSPPC will meet as needed to review individual student academic and professionalism issues that may result in probation, suspension, a leave of absence, or dismissal.

### 3 Procedures

The grading system and criteria are presented in the Evaluation, Advancement, and Graduation Policy. The following describes the process that governs subsequent actions requiring MSPPC attention.

#### Remediation/ Failed Courses and Clerkships

Students who remediate more than two (2) individual components of the curriculum in a single academic year will be referred to the MSPPC for academic review. The MSPPC may ask that the student appear in person before the committee.

Students could be required to meet with the MSPPC for a dismissal hearing in any situation that can affect enrollment status, including but not limited to:

- Failure of two of the following in one academic year: Blocks, rotations, required clinical experiences, or electives
- Demonstrating unprofessional behavior and/or academic dishonesty.
- Failure to take USMLE Step 1 by the end of June of Phase-1 (unless in a previously approved program of study).
- Failure to pass USMLE Step 1 after two attempts.

- Failure to pass USMLE Step 2 Clinical Knowledge and Clinical Skills exam after two attempts.
- Failure to meet research requirements.
- Requests to extend the period of study beyond the usual time allowed of 6 years.

Appearing Before the MSPPC:

Any student who met the above criteria for a dismissal hear or who has failed to meet the contingencies of a probation or an academic leave of absence shall be notified in person by certified mail from the Chairperson of the MSPPC that a dismissal hearing will be held.

The MSPPC Chairperson shall notify the student by letter of the details of the dismissal hearing at least ten (10) business days prior to the scheduled MSPPC hearing. The Chairperson shall send the letter by certified mail, return receipt requested, to the student at his/her address appearing in the registrar's records. The letter may also be hand delivered to the student by the Senior Dean for Student Affairs with the student signing a document acknowledging receipt of the letter. A copy of the letter will be sent to the Senior Dean for Student Affairs who will be available to advise the student in matters pertaining to the hearing. In the event that the Chairperson is unable to have the letter personally delivered to the student or the student does not sign the receipt for the certified letter, after reasonable attempts, the MSPPC Chairperson may show by sworn statement that a reasonable attempt has been made to provide notice to the student, and the MSPPC shall proceed with the hearing.

The letter to the student shall:

1. Document the reasons for the dismissal hearing;
2. Direct the student to be present at the specified time, date, and place of the dismissal hearing;
3. Advise the student of his/her rights to:
  - a. Appear in person alone or with a student-selected member of the VTCSOM community.
  - b. Have legal counsel present to assist and advise the student. Legal counsel may make no statements, may not ask questions, and may not submit written or other materials.
  - c. Request the Chair of the MSPPC recuse any persons designated to hear the case for cause or conflict of interest.
  - d. Know the identity of each person who will provide information in the case.
  - e. Summon individuals to provide supporting information, require production of documentary and other evidence, offer evidence, and argue in his/her own behalf.
  - f. Question each person who will provide information in the case for the purpose of clarification.
  - g. Receive a copy of the secretary's record of the hearing.
  - h. Appeal the decision of the MSPPC to the Dean.
4. Direct the student that they shall disclose through the Committee Chairperson no later than five (5) business days before the meeting their intent to be assisted by legal counsel during the meeting. Failure to provide notification will result in forfeiture of the right to have legal counsel present.

5. Indicate that the student and the Senior Dean for Academic Affairs (or designee) shall disclose through the Committee Chairperson no later than five (5) business days before the meeting, the names of any persons to be called to the meeting.
6. List the names of any individuals who will provide information concerning the academic deficiencies.
7. Indicate that an appropriate representative of the Office of the Dean (typically the Senior Dean for Academic Affairs or designee) and members of the MSPPC may question the involved student and anyone else who provides information on the student's behalf.

The MSPPC Chairperson shall compile a list of all individuals who will present information on behalf of either the student or VTCSOM and shall distribute the list to the student and to each member of the MSPPC four (4) business days before the meeting. In deciding the question of dismissal, the MSPPC has the right and responsibility to review the student's entire record. The MSPPC for good cause may postpone the hearing and notify all interested persons of the new hearing date, time, and place. Upon request of the student, the MSPPC also may waive the ten business day period of notice, informing all interested persons of the new hearing date, time, and place.

The Hearing will be conducted with the objective of providing basic fairness to all parties. The MSPPC Chairperson shall preside during the meeting according to the following procedure:

1. The Senior Dean for Academic Affairs (or designee) represents the interests of VTCSOM at the hearing and presents the facts of the case.
2. VTCSOM legal counsel may be present to advise the committee.
3. The student presents his/her case.
4. The student may have legal counsel present to advise him/her.
5. The student's legal counsel, if present, may make no statements, may not ask questions, and may not submit written material.
6. Persons called to the meeting may present information and then may be questioned by the student, the Senior Dean for Academic Affairs (or designee), and members of MSPPC.
7. The Senior Dean for Academic Affairs (or designee) and the student may present rebuttal evidence and counter-arguments. Members of the MSPPC may ask questions.
8. The MSPPC deliberates on the information presented with the student absent and makes a decision.

For disciplinary hearings of the MSPPC, a quorum is considered a simple majority of the committee members. This number must include at least one student member. The proceedings of the MSPPC are confidential and any discussion of the proceedings or the facts revealed, outside of the committee meeting, is a violation of the student's right to privacy and will be viewed as unprofessional and subject to disciplinary action as such.

MSPPC Actions:

The MSPPC Chairperson will submit in writing the decision of the Committee to the parties involved within two (2) business days of the hearing. The decision shall detail the reasons for the action recommended. The actions of the MSPPC for a student with academic

deficiencies can include probation, an academic leave of absence, or dismissal. After completion of all MSPPC actions, all documents and records of the case shall be forwarded to the Office of Student Affairs for storage in their student affairs file. The Hearing record is confidential and consists of a copy of the notice prepared by the Chair of the MSPPC which is forwarded to the student, a written summary of the hearing together with all documentary and other evidence offered or admitted in evidence, written motions, pleas and any other material considered by the MSPPC, the decision of the MSPPC, and the student's entire record.

#### Appeals to the Dean:

The student may appeal the MSPPC decision directly to the Dean of VTCSOM. Grounds for appeals are limited to the following:

1. The proceedings were not conducted according to the VTC designated protocol and therefore resulted in significant prejudice against the accused student;
2. Significant information was not available to the individual or the MSPPC at the time of the hearing or has subsequently come to light;
3. The sanction imposed was believed to be inappropriate to the severity of the violation for which the student was found responsible.

The student must submit the written request for an appeal to the Dean within ten (10) business days after the date of the written decision of the MSPPC. The written request for an appeal shall contain the student's name, the date of the decision, all supporting materials accompanying the request, and the name of the student's representative, if any.

A written request of appeal suspends the imposition of sanctions or penalty until the appeal is finally decided. Pending appeal, the Dean may suspend the right of the student to attend class and/or engage in academic programs for reasons relating to the student's physical or emotional safety and well-being, or for reasons relating to the safety of patients, students, or faculty.

The Dean may approve, reject, or modify the decision in question or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. The Dean's decision must be forthcoming within five (5) business days of the date of the receipt of all supporting materials. The Dean's decision shall be communicated in writing to the student, the Senior Dean for Student Affairs, the Chair of the MSPPC, and any other parties involved as determined by the Dean. The timeline described in this process (MSPPC meeting through appeal to Dean) may be altered at each level by mutual agreement between the student and the Chair of MSPPC and/or the Dean due to extenuating circumstances. The Dean's decision cannot result in a harsher sanction than the original decision of the MSPPC. The Dean can either uphold the original sanction or decide on a lesser sanction.

The Dean's decision is final and not subject to further internal appeal. A student who has been dismissed from VTCSOM is not permitted to be reinstated or reapply for admission. Notation of dismissal will be recorded on the student's academic transcript.

If the student feels that the process outlined above has not treated them fairly, he/she may file a complaint with the State Board of Higher Education for Virginia. The student should submit complaints to:

State Council of Higher Education for Virginia  
Private and Out-of-State Postsecondary Education  
101 N. 14<sup>th</sup> Street, 9<sup>th</sup> Floor  
James Monroe Building  
Richmond, VA 23219

No student will be subject to unfair action or treatment by the administration or faculty of VTCSOM as a result of the initiation of a complaint.

Conflict of Interest:

In the event of conflict of interest, real or perceived, members of the MSPPC will be expected to recuse themselves from the official proceedings of the committee. The student has the right to challenge the presence of individual members of the MSPPC to be at the hearing. The determination of such a conflict will be made by the Chair of the MSPPC. If the Chair of the MSPPC is the individual in question, the determination of such a conflict will be made by the Senior Dean for Academic Affairs.